



I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2004.

Michele Ortolano

Name

Signature

August 16, 2004

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Zhang et al.

Examiner: Anthony J. Green

Filed: July 25, 2003

Art Unit: 1755

Serial No. 10/627,885

For: Polymeric Wood Preservative Compositions

**RESPONSE TO OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the office action dated February 17, 2004, Applicants respond as follows. Amendments to the claims are presented on page 2 of this Response and Remarks on page 10.

08/18/2004 BSAYASI1 00000076 10627885

01 FC:1253

950.00 OP

08/31/2004 RWINBUSH 00000001 082442 10627885

01 FC:1202

378.00 DA

02 FC:1201

172.00 DA

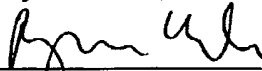
and 3 and base claim 19 to include the limitations of claims 20 and 21. The Examiner has indicated in the "Allowable Subject Matter" section that the limitations in these dependent claims, when combined with their respective base claims, define allowable subject matter. The imported limitations pertain to the inclusion of ammonia or an ammonium salt. Applicants have canceled claims 2, 3, 13, 20, 21 and 28, while adding claims 33-59. Added claims 33 and 45 incorporate the limitation of claims 13 and 28 ("said vinyl based polymer is present at a concentration between about 0.01% and about 8% by weight") into their respective base claims. Claims 34-44 and 46-54 further contain other specific limitations found in the pending dependent claims. Claims 55-59 depend from claims 1, 18, 19, 33 and 45 respectively, and specify the cellulose based product of the base claims from which they depend to be wood. The amendments are without prejudice and consistent with the Examiner's remarks in the "Allowable Subject Matter" section.

#### Conclusion

Based on the above amendments, it is believed that claims 1, 4-12, 14-19, 22-27 and 29-59 are now in a condition for allowance and therefore Applicants request the Examiner to allow the claims. If a discussion with the Applicant's attorney would facilitate the allowance of this case, the Examiner is respectfully requested to call the undersigned.

This response is being filed with a request for three months extension, and a check for \$950.00 is enclosed. If, however, any additional fee is due, the USPTO is authorized to charge Deposit Account no. 08-2442.

Respectfully submitted,

By:   
Ranjana Kadle, Reg. No. 40,041

HODGSON RUSS LLP  
One M & T Plaza, Suite 2000  
Buffalo, New York 14203-2391  
Dated: August 16, 2004